# EXHIBIT B

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 1                 IN THE UNITED STATES DISTRICT COURT
                             FOR THE
 2                     DISTRICT OF NEW MEXICO

 3

    JANINE LaVIGNE              )
 4                              )
             Plaintiff,         )
 5                              )
    VS.                         )   Civil Action No.:
 6                              )   15-cv-00934(kk)(lf)
    FIRST COMMUNITY             )
 7  BANCSHARES, INC.,           )
    FIRST NATIONAL BANK         )
 8  TEXAS,                      )
                                )
 9           Defendant.         )

10

              *******************************
11                   ORAL DEPOSITION OF
                       MARK SCHORDOCK
12               CORPORATE REPRESENTATIVE OF
               GC SERVICES LIMITED PARTNERSHIP
13                   November 9, 2016
              *******************************
14

15                     ORAL DEPOSITION OF MARK SCHORDOCK,

16  CORPORATE REPRESENTATIVE OF GC SERVICES LIMITED

17  PARTNERSHIP, produced as a witness at the instance

18  of the PLAINTIFF, and duly sworn, was taken in the

19  above-styled and numbered cause on November 9, 2016,

20  from 12:45 p.m. to 3:32 p.m., by machine shorthand

21  before MICHELLE R. PROPPS, CSR, in and for the State

22  of Texas, reported at the offices of Hanna & Hanna,

23  8582 Katy Freeway, Houston, Texas, pursuant to the

24  Federal Rules of Civil Procedure and the provisions

25  stated in the record or attached hereto.
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1    courtesy calls?  What do they entail?

2         A.     We get, you know, a listing of accounts

3    every night from the client.  They get loaded

4    automatically to a predictive dialing system.

5    Agents are then on the phone, the dialer dials.  And

6    when a right party contact or contact comes through,

7    they get the voice in their ear and information

8    about the customer's overdraft and their identity on

9    the screen.

10        Q.     So every night a list is provided by

11   First National Bank Texas of accounts and phone

12   numbers that are then loaded to the predictive

13   dialer, which then dials them throughout the next

14   day and routes them to an agent if there's a

15   contact?

16        A.     Yes.  Every day -- I don't believe we

17   get one Saturday night or -- to do because we don't

18   call on Sundays, but six days a week.

19        Q.     Thank you for that clarification.  You

20   said "every day."  Is it every day?  Is it most

21   days?  Are there days that there are no lists

22   provided?

23        A.     Every day we make calls.

24        Q.     The -- the calls that are made, you said

25   they're loaded into the predictive dialer.  Which

1      predictive dialer are you referring to?

2          A.      To Aspect Unified IP.

3          Q.      Is that the only predictive dialer that

4      was used for the calls related to this case?

5          A.      Yes.

6          Q.      There wasn't an AVAYA predictive dialer

7      used?

8          A.      We don't use AVAYA.

9          Q.      So the -- and we'll get into some of

10     these other documents that were provided later on,

11     but the time frame for the call log that was

12     provided to us runs from November 14th, 2012,

13     through April 8th, 2016.

14         A.      Uh-huh.

15         Q.      So it was an Aspect predictive dialer

16     used for that -- during that time frame by GC

17     Services to make these courtesy calls?

18         A.      Yes.

19         Q.      And that dialer was -- the numbers were

20     loaded into that dialer to make these courtesy

21     calls?

22         A.      Yes.

23         Q.      And that dialer held onto the numbers

24     and then dialed them throughout the next day?

25                 MR. HELFAND:  Let me object to the

1    "held onto" as vague.

2         Q.      (By Mr. Taylor)  Stored.  It stored them

3    to then dial them the next day.

4         A.      Yes.

5         Q.      When making calls, is it one call, two

6    calls, several calls a day on an account?

7         A.      It -- there was an algorithm with the

8    number.  So, clearly, if you contacted somebody, you

9    wouldn't make another call.

10        Q.      How many times would it call until there

11   was a positive contact?

12        A.      It could be -- depending on the number

13   of numbers on an account, it could be anywhere from

14   one to five.

15        Q.      So one at a minimum, five at a maximum

16   calls --

17        A.      There wasn't necessarily even a minimum,

18   no.  I mean, there were days that we didn't get to

19   the whole list.

20        Q.      And under what circumstances would there

21   not be a -- so let's say there's one call.  And I

22   guess it can either not get picked up, or an

23   answering machine, or someone picks up.

24               If it goes to an answering machine,

25   will there be a follow-on call later on?

1                MR. HELFAND:  I'm going to object to

2     vague as to "later on."

3          Q.     (By Mr. Taylor)  That day.

4          A.     I'm sorry.  Can you repeat that?

5          Q.     Sure.  So if the first call in the day

6     goes to an answering machine, will the Aspect dialer

7     make a second call later on in the day?

8          A.     Depending on the parameters set for it,

9     yes.

10         Q.     And the -- how does the system determine

11    that it's made a contact with a person?

12         A.     By a system release code.

13         Q.     Can you explain that a little bit?  What

14    is a system release code?

15         A.     The dialer releases it as a number or a

16    disposition.  And depending on that disposition and

17    the settings on the dialer, it would make either

18    another call to that same number later or move on to

19    No. 2, depending on the result.

20         Q.     So, is it that the dialer can tell when

21    someone picks up the phone and it's -- rather than

22    when an answering machine --

23         A.     Correct.

24         Q.     Okay.  And if it senses that someone

25    picks up a phone, it will enter -- it will trigger

1    one of these codes, which will then route it to an

2    available agent.

3         A.     If it gets -- if somebody answers, it

4    will pass it to an agent that's available, but if it

5    is a disconnected number, for instance, it would not

6    pass it -- or shouldn't pass it to an agent.

7         Q.     Okay.

8         A.     And then it would be assigned a number,

9    a code.

10        Q.     It will assign a code to say that's what

11   happened?

12        A.     Yes.

13        Q.     When GC Services was making these

14   courtesy calls, was it -- when there was contact,

15   was it identifying itself as GC Services on the

16   calls?

17        A.     No.

18        Q.     It was identifying itself as First

19   National Bank Texas?

20        A.     Could be any of the other affiliates.

21        Q.     Which affiliates?

22        A.     First Convenience Bank and Fort Hood

23   National Bank.

24        Q.     And for the call log that was produced

25   in this case -- and by that I mean the -- there's a

1    Q.    So if a call is made and there's a

2  contact, the result of that contact are then sent

3  back to First National Bank Texas?

4    A.    Yes.

5    Q.    And what type of information is provided

6  to First National Bank Texas?

7    A.    Codes as to the disposition of that

8  call.

9    Q.    Are these the -- what type of codes?

10   A.    It's a numeric code that's kind of

11 interpreted to what it means.  So if it was a

12 disconnected number, it may be 32.  You know, it's

13 just sent back in their format, the format they

14 requested.

15   Q.    And, again, that happens every day or

16 the six days a week?

17   A.    Every night, yeah.

18   Q.    Every night?

19   A.    Uh-huh.

20   Q.    Does GC Services use any pre-recorded

21 voices on these customer service calls?

22   A.    Yes.

23   Q.    And what type of pre-recorded voices are

24 used?

25   A.    It's just a -- you know, the dialer --

1   if there's a customer on the other end and no agent

2   available, it will ask them to hold for the

3   available agent for a call.

4        Q.     Does it identify itself as this is a

5   call from First National Bank Texas?

6        A.     No.

7        Q.     It just says, Please hold for an

8   available agent?

9        A.     Yes.  Please hold for a call -- I don't

10  know the exact verbiage.

11       Q.     The lists that are provided every night,

12  are they ever held over for a second day or is it a

13  clean slate every day?

14       A.     Clean slate.

15       Q.     Does GC Services -- I'm sorry.  If First

16  National Bank Texas doesn't send a list at night, is

17  GC Services going to make any calls on that list?

18       A.     We'd field inbound the next day until we

19  got a list.

20       Q.     Say that again.

21       A.     We would only take inbound until we got

22  a new list.

23       Q.     So there would be no courtesy calls

24  placed unless First National Bank Texas sent that

25  list to GC Services?

1   Table ID would be the campaign that it was in.  And

2   then the disposition IDs would be whether it was

3   passed to an agent or not passed to an agent, and

4   those numbers that I was telling you about that were

5   codes.

6        Q.     Right.  And we're going to go through

7   all of them.  But generally speaking, the first page

8   of this is one type of dialer report, the second

9   page is an another type of dialer report.

10       A.     Yes.

11       Q.     And are these dialer reports both coming

12  from the Aspect system?

13       A.     I know the first one is.  The second

14  one, I'm not sure, because it's got the numeric

15  disposition that we have to upload back to the bank

16  to tell them what happened on the account.

17       Q.     And does the -- is there an account

18  managing software that GC uses for the First

19  National Bank Texas accounts?

20       A.     I'm not sure I understand.

21       Q.     Kind of like a -- an agent interface

22  with the -- so they can access the information?

23       A.     There's a -- I mean, the information

24  that comes in that nightly download has a whole lot

25  of information on each account.  And that's how it

1  gets split into campaigns.  And then that's what the

2  agent would see when the voice is in their ear.

3      Q.      Okay.  And campaigns, what do you mean

4  when you say campaigns?

5      A.      Well, we could have a -- you know, for

6  instance, in the -- you know, there's three

7  different time zones that the bank has customers in

8  predominantly; Central, Mountain and Pacific --

9  well, Pacific half the year, zone is not there,

10  they're Mountain half the year.  But -- so we'll

11  run -- you know, in the morning, we won't be running

12  the West Coast ones, for instance.  So that would be

13  a different campaign.  So we would take only Central

14  time zone and East accounts starting at 8:00 a.m.

15  Central time.

16      Q.      So when you say "Campaign," then, you

17  mean the programmed logic --

18      A.      Yes.

19      Q.      -- as to how calls are going to be

20  placed.

21      A.      Correct.

22      Q.      And that's a campaign that's programmed

23  into and ran through the Aspect system?

24      A.      Yes.

25      Q.      So on this -- on the first page, we have

1      Q.      So when a customer -- when the

2    representative reaches somebody and the person says,

3    I'm not the person you're looking for, what

4    disposition code will the -- the GC Services

5    representative put in?

6              MR. HELFAND:  I'm going to object

7    that that calls for speculation as to what an

8    individual representative would do.

9      Q.      (By Mr. Taylor)  You can answer.

10     A.      Bad/wrong number would be appropriate.

11     Q.      Are there any other codes that they can

12   put in?

13     A.      I mean, they could put in any code.

14   There's nothing to keep them from putting in any

15   code.  But if they were -- that would be the code

16   that they should put in.

17     Q.      Okay.  Is there any way they can signify

18   that the called party says, Wrong number, other than

19   putting in bad/wrong number?

20     A.      I'd have to get all the different

21   release codes, but I don't -- I think that would be

22   the logical one to put in.

23     Q.      Does "Bad/Wrong Number" trigger do not

24   call blocks in the system?

25     A.      For that day, yes.

1      Q.     But not for the next day?

2      A.     No.  Because we'd get a new set of

3  numbers for the next day -- or new set of accounts.

4      Q.     And the "Bad/Wrong Number," is that

5  reported back to First National Bank Texas?

6      A.     Every night.

7      Q.     So you are -- you report to First

8  National Bank Texas bad/wrong number and then they

9  may provide you a different number or they may

10 provide you the number again the next day?

11     A.     Don't know for sure.  But, yes, I guess

12 that's possible.

13     Q.     Right.

14     A.     I mean --

15     Q.     That's what happened here.  Right?

16     A.     Sure.  Right.

17     Q.     When somebody says -- so, is there any

18 way for GC Services to report that the -- the person

19 called says that GC is calling the wrong person?

20     A.     By releasing as a bad/wrong number.

21     Q.     So in this situation, if Ms. LaVigne

22 says, I am not the person you are looking for, the

23 only mechanism GC Services has to record that is to

24 code it as bad/wrong number?

25     A.     Yes.

1      Q.      And GC Services will not block that

2   number from its dialer?

3      A.      Just for the remainder of the day.

4      Q.      Just for the remainder of the day.

5      A.      Yeah.

6      Q.      But not for the next day?

7      A.      No.

8      Q.      Is there any reason why GC Services

9   won't take a step to block the number from the

10  system?

11              MR. HELFAND:  Which topic is this?

12              MR. TAYLOR:  The services provided

13  by GC Services for First Community Bancshares.

14              MR. HELFAND:  I'm sorry.  I didn't

15  read it that way.  We didn't prepare that way.

16  You're asking now why GC Services does or doesn't do

17  something.  He's telling you what services they

18  provide for the bank.

19              MR. TAYLOR:  Well, those are

20  services provided for the bank for Ms. LaVigne.  And

21  I'm trying to understand why or --

22              MR. HELFAND:  I'm sorry.  I missed

23  the last part.  You said "services provided" what?

24              MR. TAYLOR:  Pardon?

25              MR. HELFAND:  I missed what you

1      Q.      Okay.  And "calltypeid," what does that

2   signify.

3      A.      It's inbound or outbound.  Two is

4   outbound.

5      Q.      Okay.  And "callstartdate," what does

6   that signify?

7      A.      That's the date and time that the call

8   was launched.

9      Q.      And "callenddate," what does that

10  signify?

11     A.      Date and time the call was terminated.

12     Q.      And, "user_id," I assume that's the

13  numbers identifying employees.

14              And where it says, "Null," it means

15  there was not an employee interaction?

16     A.      Correct.

17     Q.      And do you know if these user IDs --

18  let's see if they're different from the ones you

19  have listed.  These seem to be them in the reverse

20  order.  Yeah, you gave me all those.

21              Account number is the account number

22  provided by First National Bank Texas; is that

23  right?

24     A.      Yes.

25     Q.      And dialed number is the number that the

1    know, don't dial before 9:00 a.m., where somebody

2    else may say, dial anytime after 8:00 a.m. local

3    time.  So their service has their -- the, I guess,

4    parameters to dial loaded into it.

5         Q.    And "table_id," what does that signify?

6         A.    It's a campaign.

7         Q.    So these are the different parameters

8    that the -- the Aspect system is using to make calls

9    off the list?

10        A.    I mean, the service would be that.  The

11   table ID is going to be -- you know, you can run the

12   same campaign twice and get a different table

13   number.

14        Q.    I see.  So, is that -- does that differ

15   by day or even just rotation through the campaign?

16        A.    Both.

17        Q.    Both, okay.  So if you have the service

18   number and the table ID number, you can identify the

19   specific campaign that was run.

20        A.    Yes.

21        Q.    Okay.  And agent disposition ID --

22        A.    Uh-huh.

23        Q.    What does that signify?

24        A.    That's going to be the number that -- if

25   the agent did it and did a release code, so down

1   there where it says "98," that's the disposition ID

2   for bad/wrong number.  Because there was no agent

3   disposition ID -- for instance, in the first line

4   where it says "Null," there was no agent associated

5   with that dial.

6        Q.     So, is that the code that goes back to

7   First National Bank Texas?

8        A.     Yes.

9        Q.     Is it a 98 or is it converted into

10  something else?

11       A.     I believe that's what it's converted to.

12       Q.     Okay.  So, is this the information

13  that's sent back to First National Bank Texas?

14       A.     I don't know specifically the file.  I

15  mean, that's part of the information that would go

16  back.

17       Q.     Okay.  And switch disposition ID, what

18  is -- or, sorry, "switchdispid," what does that

19  signify?

20       A.     That will be the translation from the

21  first -- on Page 1, for instance, where it shows

22  answering machine, we could probably match them up

23  to know which number was which.  But it looks like

24  if -- if it's bottom to top, number 3 was 8-5 of

25  '15, so it's probably going to be the -- 3 is a

1       Q.      Okay.  Please take a look at 4.

2                   MR. HELFAND:  For the record, this

3       is FNBT000021.

4       Q.      (By Mr. Taylor)  And what is this

5       document?

6       A.      So you've got another report that is the

7       dialer upload back to First National Bank.

8       Q.      So this is the dialer upload back to

9       First National Bank.  Do you know that or -- you

10      were kind of unsure before, I think, and...

11      A.      I guess I'm not positive that this is

12      everything that gets uploaded to them.  It looks

13      like the primary difference between this and the

14      prior is this includes inbound calls.

15      Q.      And you can tell that because it

16      includes the number 1?

17      A.      Call-type ID.  And under ANI, you'll see

18      a number.

19      Q.      But it also includes different outbound

20      calls as well; is that correct?

21      A.      Yes.

22      Q.      So if we look, for instance, on

23      Plaintiff's 4, it says that there is a -- go to that

24      first number 1.  Do you see that?

25      A.      Yes.

1          Q.      That is an inbound call; is that

2     correct?

3          A.      Yes.

4          Q.      On April 23rd, 2014; is that correct?

5          A.      Yes.

6          Q.      And it -- this agent with code 537

7     disposes of the call or is connected to the call?

8          A.      Uh-huh.  Connected to the call.

9          Q.      Do you know who that agent is?  It

10     wasn't one of those other numbers.

11          A.      I don't know.

12          Q.      Okay.  And that is an inbound call from

13     this 4951 number; is that right?

14          A.      Yes.

15          Q.      Okay.  And the agent had a disposition

16     of 98, which is a bad/wrong number; is that right?

17          A.      Yes.

18          Q.      And the switch ID is 16, which I think

19     we said means that -- well --

20          A.      It's one we need to go back on, because

21     16s and 13s were --

22          Q.      Right.  Okay.  So this is an inbound

23     call where someone says you're calling the wrong

24     number; is that right?

25          A.      Yes.

1      Q.      And is this information reported back to

2   First National Bank Texas --

3      A.      Yes.

4      Q.      -- an inbound call?

5      A.      Yes.

6      Q.      From a number that says -- where the

7   disposition code is this "bad/wrong number"?

8      A.      Yes.

9      Q.      Under what circumstances is there going

10  to be an inbound call where someone says, bad/wrong

11  number, other than to say, wrong number, or bad

12  number?

13              MR. HELFAND:  Let me object to that.

14  Calls for speculation.

15     Q.      (By Mr. Taylor)  You can answer.

16              MR. HELFAND:  If you know.

17     A.      Would be an inbound call and somebody's

18  saying it's not them that we're dialing.

19     Q.      (By Mr. Taylor)  And then that

20  information is reported back to First National Bank

21  Texas, because that's what we think this is.  Right?

22     A.      Yes.  98, it's --

23              MR. HELFAND:  Let me just -- for the

24  record, you interrupted as -- as he was giving you,

25  I think, a list of reasons that it could be, but --

1      document --

2           A.     Uh-huh.

3           Q.     -- and then just ran a query off of

4      that?

5           A.     Yes.

6           Q.     Do you know if the larger document under

7      call-type ID had just 2s, or were there 1s under

8      there as well?

9           A.     I don't remember.

10          Q.     Okay.  If you were to have a spreadsheet

11     with the different call-type IDs -- let me put it

12     another way.

13                 So there's the number 1 and number

14     2.  Number 2 is an outbound call.  Number 1 is an

15     inbound call.  Right?

16          A.     Yes.

17          Q.     Are there any other type call IDs?

18          A.     No.

19          Q.     Could you do a spreadsheet that shows

20     all the call-type IDs, similar to this document,

21     that has the inbound and the outbound calls and the

22     agent disposition codes of bad/wrong number?

23          A.     Yeah.  If this one didn't have it, yeah.

24          Q.     If this one didn't have --

25          A.     Yeah.

1      Q.      (By Mr. Taylor)  Can I see the

2   Exhibit 2?  I just want to take a look at the

3   objections.

4      A.      (Handing.)

5      Q.      The message -- the hold message that we

6   were talking about earlier, is that a pre-recorded

7   message or is that an artificial voice message?

8      A.      It's pre-recorded.

9      Q.      Okay.  And it just says, Please hold for

10   a representative?

11      A.      Yeah.  Uh-huh.

12      Q.      Are there any artificial messages that

13   are used for these customer care calls?

14      A.      No.

15      Q.      And the Aspect system made the calls to

16   the 4951 number that we were talking about before,

17   which I'll say is the plaintiff's number.

18      A.      Yes.

19      Q.      It's the same system that was used to

20   make these calls to these 227,521 persons?

21      A.      Yes.

22      Q.      Can you tell me the number of automated

23   calls placed by GC Services on behalf of First

24   Communities Bancshares and/or First National Bank

25   Texas to a cellular number where prior calls to that

1    number were identified as bad or wrong number?

2          A.      No.

3          Q.      Why can't you tell me that?

4          A.      I mean, we don't know what -- what

5    cellular -- what's a cellular number and what isn't.

6          Q.      Does GC Services do any cell phone

7    scrubbing?

8          A.      For?

9                  MR. HELFAND:  Well, hang on.  You're

10   talking about in connection with the bank?

11                 MR. TAYLOR:  No.  In general.

12                 MR. HELFAND:  Then don't answer that

13   question.  That's not on your list, how GC Services

14   does their business.

15                 MR. TAYLOR:  Well, no.  I'm able to

16   determine what he did to answer this question.

17                 MR. HELFAND:  No.  He's not here to

18   testify about how GC Services does their business,

19   exception in connection with the matter that you've

20   delineated that he be here.  He's not going to

21   testify on behalf of GC Services about how they

22   generally do their business.  That's not on your

23   list.  You're not entitled to ask him that.

24                 MR. TAYLOR:  I am entitled to

25   discover what he did to be able to answer that

1    a problem with him answering, in light of what I

2    understand the answer to be.  And I don't want to

3    have a fight in front of a judge just to find out

4    that answer is what he can tell you.

5         Q.    (By Mr. Taylor)  What can you tell me?

6         A.    I did not have the means to bump it up

7    against a list that had the cell phone numbers.

8         Q.    When you say you, you mean you

9    personally, or GC Services?

10        A.    GC Services.

11        Q.    Okay.  And so GC Services had no means

12   to take this list and compare it to a -- or run it

13   on a cell phone scrub?

14        A.    No.

15        Q.    Okay.  Does GC Services do any cell

16   phone scrubbing?

17             MR. HELFAND:  That is beyond the

18   scope of the topics that you've listed here.

19             MR. TAYLOR:  Well, he tells me he

20   didn't have the means, so I'm trying to figure out

21   if he actually has the means.

22             MR. HELFAND:  Move on to something

23   else.  You're not here to do discovery against GC

24   Services as to matters outside the scope of this

25   lawsuit.

1      Q.      So that's the same for this entire

2   period?

3      A.      Uh-huh.  Yeah.

4      Q.      Let me put that over there so it

5   doesn't...(handing)

6      A.      Okay.

7      Q.      The services that are provided by GC

8   Services for First National Bank Texas, are those

9   called first-party receivables?

10      A.      Yes.

11      Q.      And what is first-party receivables?

12      A.      It's collections where you're calling in

13   the name of the creditor.

14      Q.      Okay.  So this is a function of a --

15   you're not just calling in the name, you're calling

16   under the a name --

17      A.      Sure.

18      Q.      -- of the creditor.

19      A.      True.

20      Q.      So anybody -- the intent and effect is

21   that the called person believes they're interacting

22   with the client, in this case, First National Bank

23   Texas.

24      A.      Yes.

25      Q.      Will a GC Services agent ever provide an

 1          A.     Uh-huh.

 2          Q.     Who sets that upper bound?  Who sets the

 3    five?

 4          A.     The client gives us so many resources to

 5    make the calls and then a high-end limit on what you

 6    can do per day.

 7          Q.     So when you say they give you so many

 8    resources, this is what they're paying for.  Is that

 9    what you mean?

10          A.     Yes.

11          Q.     So they pay for a maximum of five calls

12    a day on --

13          A.     They pay for a number of resources.  And

14    you may or may not have the bandwidth or resources

15    to get through their -- however many they dumped

16    into your file that day.

17          Q.     Okay.  So when you say five, you mean

18    that -- you know, what I'm asking, is there -- is

19    there a hard limit where the client says, Five

20    calls, no more?  Or is it when you -- is that what

21    happens?

22          A.     It's a little hard because there's a

23    limit for both the number on a unique number and on

24    an account.  So no more than five on an account a

25    day, but no more than three on a unique number in a

1    day.  So if you've got four numbers on an account,

2    you know, you've got to pick and choose which ones

3    to call.  But once you hit five on the account, or

4    three on a number, you're done with that number or

5    account.

6        Q.    Okay.  Good.  Thank you.  So it's three

7    per number --

8        A.    Number.

9        Q.    -- five per -- per phone number, five

10   per account.

11       A.    Yes.

12       Q.    So you may have one or two numbers on

13   the account.

14       A.    Yeah.

15       Q.    But that is a hard number, this three

16   and five number, that's set by the client?

17       A.    Yes.  And I mean, there's controls

18   within the dialer on it.  But we don't have the

19   resources to get that high, but that's where it

20   would stop systemically.

21       Q.    And when you say "resources," you just

22   mean the -- you just mean the number of agents made

23   available to work on these campaigns?

24       A.    Uh-huh.

25       Q.    Okay.  Because there's only so many

1    ago.  I mean, it's automated now.  I mean, we come

2    in and it's loaded in the dialer already.

3        Q.    So that doesn't -- nobody's monitoring

4    it or is it they monitor it if a problem happens?

5        A.    Right.  If it breaks, they get an alert.

6    But if it doesn't -- if it runs smoothly, it's just

7    there and done.

8        Q.    Who writes the campaigns or who --

9    sorry.  Who sets up -- who sets the parameters for

10   the campaigns?

11       A.    I mean, originally -- initially, it

12   would be the IT group that helped set them up.  But

13   if there's day-to-day changes, we put in a ticket to

14   have it changed.

15       Q.    And are the campaigns -- does the client

16   have input on the parameters for the campaign?

17       A.    A little.  I mean, certainly, on caps

18   and, you know, how frequently they're calling, yes.

19       Q.    The -- the campaigns that are -- what

20   type of parameters are there for a campaign that can

21   be written?  Or can you tell me a little bit about

22   how the campaign is actually -- how is it done?  How

23   is it put together?

24       A.    I mean, a lot of them are set by the

25   time zones and when you can start calling within

1   those time zones.  And then it's flipped either like

2   descending order by balance or number of days

3   overdrawn, so -- and then flipped so that -- and

4   you'll kind of flip it and call from the other end

5   the next day, make sure you're saturating all the

6   accounts.

7        Q.     And I'm trying to understand a little

8   bit the technical behind that.  So the numbers are

9   loaded into the system.

10       A.     Yeah.

11       Q.     And I'm assuming that the numbers of

12  many, many clients are -- are in there.  Right?

13       A.     No -- I mean, the only -- the group that

14  runs the dialer on the collection account, that's

15  the only thing they see.  So those are loaded into

16  their own partitioned data.  And then the campaigns

17  are auto-generated on that.  Then the person just

18  starts the campaigns at the appropriate time.

19       Q.     Okay.  And the campaigns -- when the

20  campaign runs, does it generate a -- so there's the

21  list of numbers that come in from the bank that's

22  stored in the dialer.  And when the campaign runs,

23  does it then create its own list to call, or is it

24  working off of that list from the client?

25       A.     I mean, it's working off of that list,

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 1    but it can be sorted by the elements that come from

 2    the client.

 3         Q.    Okay.  And do you know what format that

 4    information comes in from the client?  Is it in a

 5    spreadsheet or is it something more fundamental?

 6         A.    FTP file.

 7         Q.    FTP file.  And that's -- if that was to

 8    be printed out, it would just appear like a line of

 9    code that just goes on and on and on.  Correct?

10         A.    I believe so, yeah.

11         Q.    Can you tell -- let's look at

12    Plaintiff's 4.  Can you tell on there if a consumer

13    is placed on hold while -- until an agent is

14    available?

15         A.    No.

16         Q.    Would you be able to tell that?  Is

17    there any information in the Aspect system that will

18    allow you to figure that out?

19         A.    If we can refer to Exhibit 5,

20    abort-customer hung up on hold, that customer was

21    absolutely on hold.

22         Q.    So where it says "Abort-Customer Hung Up

23    on Hold," that is the message played and the

24    customer --

25         A.    Hung up during the message.
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